THE WRONGS OF KANSAS.

SPEECH

OF

HON. JOHN P. HALE,

OF NEW HAMPSHIRE.

IN THE UNITED STATES SENATE, FEBRUARY, 1856.

TUESDAY, FEBRUARY 26, 1856.

The Senate resumed the consideration of Mr. WELLER's motion to print ten thousand extra copies of the President's message of February 18, with the accompanying documents, relative to affairs in the Territory of Kansas.

Mr. HALE. Mr. President, I intend to reply somewhat at length to the remarks which have been made by the Senator from Tennessee; but as he made a personal allusion to me, I prefer to answer that now; because I recollect that a distinguished Senator from South Carolina, some three or four years since, delivered, as I thought, a well-timed reproof to somebody who postponed a personal explanation for a number of days. I wish, therefore, to dispose of that part of the Senator's speech now.

The honorable Senator from Tennessee began with a lamentation over the degradation to which the Senate had been reduced. He said it was not what the old Roman Senate ought to be, and what he thought it was when he was studying *Viri Romæ*. He said it had become reduced exceedingly; and he proclaimed to the Senate, and to everybody who chose to listen to what was going on in the Senate, that he was about to make an elevated speech; that he was about to confine himself to what was worthy of the subject and of the Senate. It is very true that he did put in a sort of a *caveat*, that in the excitement of debate he might be led to utter something which would not be exactly the thing; but for that he begged pardon beforehand. He probably knew about what he was going to say, and he put in the *caveat*—"if he should in the excitement of the debate." Well, sir, he has had all the debate to himself. Nobody on earth has said anything to excite him but himself. He did, however, succeed in getting up the excitement of debate *solo* altogether, so as, I think, to work himself up to such a pitch as to say something which, if it be the elevation to which he seeks to raise the Senate, I pray God to leave it in its degradation; I do not want that elevation. One of the phrases with which this refined era of elevated eloquence is inaugurated in the Senate, is "the filth and corruption of negro cabins." That is one specimen. Another, to which I wish to call the attention of the Senate, is that in which the Senator attributed my return to the Senate to the care which the devil takes of his own. I think that is right.

Sir, you know who brought me back here. It was the President of the United States, and nobody else, who has done it. If it had not been for the course which the President of the United States took upon this very subject—if it had not been for the manner in which he outraged public sentiment in his native State, so that he has not got a single friend from that State in either House to say "God bless him!" I should not have been here. That is the devil who took care of me—the President of the United States. [Laughter.]

Sir, I am glad that the Senator from Tennessee referred to the Rhode Island case. In a day or two—I can do it to-morrow, if it is thought best—I propose to show you where the President of the United States stood on that issue. I will show you the ground of the President of the United States upon the doctrine of popular sovereignty, in its application to Rhode Island; and if the learned Senator from the State of Connecticut [Mr. TOUCEY] is booked up, and will enlighten the

Senate a little, he can tell you where Connecticut stood at that time. When Thomas W. Dorr was a fugitive from the Government of Rhode Island, and found it convenient to emigrate, the first place to which he went was Connecticut; and I think I am not mistaken in public history when I say that he found a sympathizing friend for his doctrines in the Senator from Connecticut. He stayed there as long as it was prudent and agreeable to stay, and the next place to which he went was New Hampshire. There, sir, the most ultra sympathizing, superlatively sympathizing friend whom he found was a man who is sometimes called "Young Hickory," but who was christened FRANKLIN PIERCE. That was the man who endorsed, to the fullest extent and in the broadest terms, the whole doctrine of popular sovereignty, as it was proclaimed in Rhode Island by Dorr. I have got some resolutions which were then passed in New Hampshire, and I will bring them in and serve them just as the Senator from Tennessee is going to do that little book which he held up to us—embody them in my speech—but I will read them first.

The Senator appealed to me personally. He said that I would have the candor to say—but he took it back afterwards, and said I was all made up of prudence. He said, at first, that I would have candor enough to acknowledge, that if the Missouri Compromise was repealed, our war would not stop. I understood him first to say that I had candor enough to acknowledge it; but he took that back, and used the future tense. He said that he thought I would have candor enough to acknowledge that, if the Missouri Compromise was repealed, we would not carry on this war until the last manacle was stricken from the last black man. What war? What war? What aggression has the North ever been concerned in? Sir, I am tired to death of this talk. What does the Senator from Tennessee think? Does he think that, by repeating over and over and over again "Northern aggression," all history is to be falsified; that we are to be thundered out of our common sense by this denunciation of Northern aggression? What is it?

Why, sir, I suppose it was Northern aggression that repealed the Missouri Compromise! Was it not? It was Northern aggression that made war upon Mexico, and took such a great portion of her territory, and blotted out the restriction of Slavery, which that semi-barbarous people had imposed upon that portion of God's earth which fell to their dominion? Was that Northern aggression? It is Northern aggression which has held possession of the high places of this Government—in your chair, sir, in the Presidential chair, on the bench of the Supreme Court! It is Northern aggression that so carves out this country that a vast majority of the people inhabiting the free States are kept in a perpetual and eternal minority in that everlasting citadel of Slavery—your Supreme Court of the United States. It is Northern aggression, I suppose, that has done all this. Sir, I had heard this term so many times, that I had begun to suppose people would be tired of using it. What have we done? We have stood on the defensive. We have always been in a practical minority here, because you have bought up doughfaces enough to control us. We have always been in a minority practically.

Now, then, let me explain our position. The Senator says I would fight. No, sir; I would not fight at all; but I would defend; and that is all we have done. We have never made aggression, and we never mean to do so. The difficulty is, that our people have not even stood upon the defensive; but I thank God that the indications of the present day seem to promise that the North have at last got to the wall, and will go no further. I hope so. The Senator says there may be a power that shall say, "Thus far shalt thou go, and no further." Good! good! Sir, I hope it will come; and if it comes to blood, let blood come. But I tell your President of the United States, who threatens to send his myrmidons to shoot down the free inhabitants of Kansas, let him fire. I tell you, the first Federal gun that is fired to shoot down one of those inhabitants, will echo and reverberate over the hills and the valleys of this land; and he will find that, like Roderick Dhu's men, the freemen will come up, and the fight will not be all on one side. No, sir; if that issue must come, let it come; and it cannot come too soon.

I am sorry that we confirmed Shannon; because I think, if this issue is to come, the President had better send out as Governor of Kansas a real fire-eating slaveholder—a man who believes that Slavery is a divine institution, established by God, and sanctified by Christ, as it has been proclaimed to be in some official papers of the Southern States. Let him send such a man as that, and let the issue—if he is determined to make it—come.

Sir, the Senator from Tennessee seems to talk of the Puritans of New England, as if that were a term synonymous with cowardice. Did he ever read the history of the Puritans? I tell you, sir, the Puritans of Old England rode hard all over England, to get the sight of the backs of some of the Cavaliers, and could not find them. [Laughter.] Sir, it was a motto of Cromwell to his Puritans, to trust to Providence—that is well, said he—but look to your ammunition, and "keep your powder dry." That was a part of the Puritanical code of those days. The Senator is altogether mistaken in the character of these people. We are not quick to get into a quarrel, personal or political, of any sort, and he knows it. We are yielding, and he knows it. We have yielded. We have seen the power of this Government, for the last fifty years, exerted, with an almost single aim and purpose, to extend, foster, perpetuate, strengthen, and render eternal, the institution of Human Slavery. We saw it in the annexation of Texas—avowedly so by the Secretary of State. For what else was the Missouri Compromise stricken down? And yet the Senator speaks of Northern aggression, as if we had been making war.

Sir, the doctrine which has been proclaimed by the men about whom I know anything, engaged in the Anti-Slavery enterprise of the North, has always been, that they disclaimed and denied utterly the purpose, the desire, or the power, to interfere with Slavery in any State where it exists. They never proclaimed any such thing, and it cannot be found. The most ultra of them, in the first national meeting they ever held as a Convention, utterly disclaimed it.

The gentleman speaks of some times past, and of some eras gone by. I do not know that the

era has gone by when the North is to be driven. I do not know whether the honorable Senator thinks that Senators on this floor, representing the views of their constituents, are to be silenced by such personal assaults as have been made on the Senator from Massachusetts, [Mr. WILSON.] I can tell the Senator from Massachusetts not to be alarmed. I have experienced it all, and more. His colleague, my honorable friend, [Mr. SUMNER,] felt it all, and a great deal more. He is a man whose character conferred more honor on the Senate than the Senate on him, by taking his seat in the body. He did not escape it. No man has come to the atmosphere of Washington, and who has brought with him anything of fidelity to his Northern constituency, who has not found all such influences as these brought to bear to crush and break him down. Well, sir, this attempt may succeed, and it may not. I can pardon a great deal to gentlemen thinking it may succeed, because I know that in the history of the past it has succeeded, and therefore they may be encouraged to make these demonstrations.

Now, sir, I confess that I have been favorably impressed by this inauguration of the new eloquential era in the Senate; for the Senator from Tennessee closed his speech with the illustrious figure of the bowie-knife; and he threatens that we shall have war to the knife, and the knife to the hilt. Sir, Puritan blood has not always shrank from even those encounters; and when the war has been proclaimed with the knife, and the knife to the hilt, the steel has sometimes glistened in their hands; and, when the battle was over, they were not always found second best. I confess I am sorry to see such things introduced here. I had hoped, after such a peaceful inauguration of this speech, after such pious proclamations of the elevated tone with which this discussion was to be carried on, it would not end with a war to the hilt of the bowie-knife; but sir, I am mistaken—tastes differ.

Now let me state, all that we ask, all that we desire, all that we claim, is this: if you like Slavery, keep it; nobody finds any fault with you for doing so. We disclaim any purpose, any wish, to interfere with it in the States; and whatever the Senator may say, I defy him—I defy any man with whom I have ever come in intercourse in the Senate, or in the other House, or in social life—to say that ever I have allowed myself to use an opprobrious or insulting epithet; nay, more, an epithet calculated, or designed, or intended to wound, or injure, or hurt any man's feelings. God knows I have had too bitter experience in my own history of such attempts, to return them, even to the humblest of my species. No, sir; I have done nothing of that sort. What do we desire? We desire, as I understand Southern gentlemen to profess, "hands off." They say the General Government has no jurisdiction over Slavery. Agreed; that is all we want. When you passed your Kansas bill, you claimed that it was to be left to the unbiassed voice of the free settlers. We were willing to have it so; but the complaint is, that we have not had that. And the Senator admits, if I understand him, that wrong has been done there; but it is justified as a measure of retaliation on the Emigrant Aid Societies! The Senator says this is the first time he ever heard of those societies. Well, sir, it is not the first time I ever heard of them. If I have read history aright, there were Emigrant Aid Societies got up in England. to colonize Virginia.

Mr. JONES, of Tennessee. I said in the United States.

Mr. HALE. Well, sir, Virginia is in the United States. [Laughter.] Virginia, was settled by Emigrant Aid Societies, and so were most of these Colonies. This Emigrant Aid Society, if I understand it, was got up before the passage of the Kansas bill. Again; The Senator asked, Why this alarm about the border ruffians? Sir, the alarm is because we believe the power of the Federal Government has been arrayed on their side. I think the order of the Secretary of War to which the Senator from Massachusetts alluded was justly obnoxious to the very censure with which he visited it; and that is, that while it instructed the officers commanding the troops of the United States to put down any insurrection, it did not say a word about repelling invasion. The Senator endeavors to get around this point by saying that was in the proclamation; but, while it was in the instructions of the officer to put down insurrection, there was a silence about invasion; and therefore, I say the document is justly obnoxious to all the censure which the honorable Senator from Massachusetts put on it; and a great deal more, which, please God, I will endeavor to administer when the occasion comes. The Free State men of Kansas Territory appealed to the President, and asked for protection; and what does he tell them in response? He tells them that he sends officers there to put them down if they are guilty of insurrection. That is it.

I am not disposed to go into this matter now. I have not time to go into it at present. I have said thus much, simply because there was a personal appeal made to me by the honorable Senator. At a suitable time—and in regard to that I shall be governed very much by the opinions of the Senate—I propose to address myself to this subject; and I will endeavor to meet, if in my power, as well as I can, some of the assumptions that have been made. I believe it is a great issue; and I rejoice to agree entirely and totally with the assertion with which the honorable Senator from Tennessee started, that we had things at home which we should attend to before going to look after England and Central America. Sir, we had better look to the centre of the United States than to the centre of Europe, or of any other country on God's earth. In that sentiment of the Senator I entirely agree; but as the usual hour for the adjournment of the Senate has arrived, and as I am not prepared to go on now, I move to postpone the further consideration of this subject until Thursday next.

THURSDAY, FEBRUARY 28, 1856.

Mr. HALE. Mr. President, I shall enter upon the discussion of this subject—which I believe to be an important one—not so much for the purpose of replying to the honorable Senator from Tennessee, [Mr. JONES,] as to meet a challenge which has been thrown down from another quarter. I may say a few words in reference to one or two of the positions of the Senator from Tennessee, in

ne course of the remarks which I shall submit to he Senate; but, in regard to all that which was ersonal, a night's reflection has satisfied me that had better not reply to it. I have no doubt the enator feels more grieved at it than I do; but I ill not say a word about it; I will not even ask ave of the Senate, to print any remarks upon hat point. I only ask leave to have it understood hat, if I chose to reply to any of those remarks, I ight very well do so, if I saw fit.

But, sir, I rise for the purpose of replying to a hallenge which I consider has been thrown down y the President of the United States—challeng- g the commendation and approval of the Senate nd of the country of the course which he has en fit to pursue in relation to Kansas affairs. hat challenge I gather from the remarks made y a personal and political friend of the Presi- ent—the Senator from Connecticut [Mr. TOUCEY] -in these words:

"Mr. President, I desire to say a few words before this bject passes from the Senate. I do not see how it was ssible for the President of the United States to take y other course than that which he has adopted, as ted in the papers now on the table, without an utter andonment of his constitutional duty."

Again, sir, the Senator from Connecticut said:

"What right, upon this state of facts, had the Presi- nt of the United States to interfere? Had he any ght to inquire into the validity of elections? No more an he would have had in regard to an election in Bal- more, or Boston, or New Orleans. He had no power. e omitted the performance of no duty, because he had power and no right to make inquiry in order to inter- e in the elections."

Further:

"I undertake to express the opinion, for one, as an mble member of this body"—

id that distinguished Senator—

hat we have no intelligence of any fact or of any state things that would justify an interference with military wer by the President with the troubles of Kansas, down the period of which I am speaking."

That is the challenge, three times repeated, d repeated in such hot haste that it was put in a motion to print. Entertaining the views hich I do, I could not, it seems to me, sit still honor and permit such a challenge as that to forth to the country unanswered. I take issue th the Senator on every one of the proposi- ns: I deny them. I say that the President has itted his constitutional duty, and that there s a state of facts which would justify and call his interference; and I will prove it out of his n mouth. The Senator from Connecticut goes in his remarks, and styles the Convention ely assembled in Kansas Terrritory, for the pur- se of organizing a Constitution, "a spurious nvention." The President calls it "revolu- nary"—the Senator from Connecticut, "spuri- s." I will not pursue that point further now; , in order to meet this subject in the manner which, in my judgment, it ought to be met, quires a little broader range of discussion than ssibly may have been heretofore indulged in; d to do that, I shall go back to view the state the country at the time of the passage of the uch-talked-of Kansas act, and to present—or ther re-present—to the Senate and the country e showing of its friends upon which it was ssed.

When that bill was under consideration before e Senate. it was stated over and over, and over again, and declared by numerous Senators here to be a conceded fact, that Slavery never was to go into the Territory of Kansas. I shall make no assertion which I am not fortified with proof to sustain. It will be found, to proceed in the regular order of the proof of this statement, that Mr. Petit, of Indiana, in a speech delivered February 20, 1854, which is to be found in the twenty-ninth volume of the Appendix to the *Congressional Globe*, on the 218th page, says:

"Here let me say to gentlemen of the South, that while I regard this as a mere shadow to them, it is removing the ban under which their citizens have labored; but it is not giving them any substantial, tangible, lasting benefit; and there is therefore the more reason why we of the North should at this time remove this restriction."

"These two Territories—Nebraska and Kansas—now in their incipient stage, just in their birth, will, when they come to their manhood, be free; for Slavery will not prosper there."

That was the opinion of Mr. Petit. Next in the order of time, I think, is a remark made by Mr. Hunter, of Virginia, which is to be found in the same volume, on the 224th page. Mr. Hunter says:

"Why should the North object to the removal of this restriction, and object to the passage of this bill? So far as the question of the extension of Slavery is concerned, is it to them a matter of any practical importance whether this bill passes or fails? Does any man believe that you will have a slaveholding State in Kansas or Nebraska? I confess that for a moment I permitted such an illusion to rest upon my mind: but, upon a further examination of the subject, I came to the conclusion that it was utterly hopeless to effect any such thing."

On the 27th page of the same volume will be found this remark of Mr. Brodhead, of Pennsylvania:

"I have said that the question is of no practical importance; for every sensible man knows, and every candid man will admit, that soil and climate forbid the introduction of slaves in the Nebraska region, which is all above 36° 30′."

Then, sir, in the opinion of that honorable Senator, this was "so plain that no sensible man could possibly be ignorant of it, and no candid man could deny that, north of 36° 30′, soil and climate forbade the introduction of slaves;" and this, notwithstanding the fact that a large portion of Missouri, Maryland, Virginia, Delaware, and, I think, Kentucky, lies within the same parallels of latitude as Kansas. Notwithstanding these physical facts, the impression that Slavery could not and would not go to Kansas, was so strong on the mind of the honorable Senator from Pennsylvania, that he said nobody but a fool was ignorant of it, and that nobody who had a particle of candor would deny it. This statement was put forth in the Senate, and gentlemen sat and heard, and nobody said "nay" to it; and so far as silence gives consent, it was admitted that every sensible and every candid man knew that Slavery could not go north of 36° 30′.

Well, sir, the proof does not stop there. The next gentleman whom I will quote is Mr. Badger, of North Carolina, then a member of this body. His speech will be found in the same volume, on the 148th page. He says:

"I think, Mr. President, it is in the highest degree probable that, with regard to these Territories of Nebraska and Kansas, there will never be any slaves in them. I have no more idea of seeing a slave population in either of them, than I have of seeing it in Massachusetts; not a whit."

That is quite as strong as Mr. Brodhead. But, sir, I have more testimony. In the same volume on page 318, I find that Mr. Toucey, of Connecticut, asks:

"Why should Northern men object to it? Will the institution be likely to prevail in those Territories? Climate, soil, the productions of the soil, forbid it. The laws of nature forbid it. The same general causes which expelled that institution from the Northern States, and pushed it south to the line which now bounds it, would preclude it from that region, or expel it if it came."

In the same volume, on page 162, we have some more testimony, though not from a friend of the bill. Mr. Everett, of Massachusetts, says—and remember he was speaking in the Senate—

"I believe it is admitted that there is no great material interest at stake. I think the chairman of the committee, [Mr. Douglas,] the Senator from Kentucky, [Mr. Dixon,] and perhaps the Senator from Tennessee, [Mr. Jones,] behind me, admitted that there was no great interest at stake. It is not supposed that this is to become a slaveholding region. The climate, the soil, the staple productions, are not such as to invite the planter of the neighboring States, who is disposed to remove, to turn away from the cotton regions of the South, and establish himself in Kansas or Nebraska. A few domestic servants may be taken there—a few farm laborers; but in the long run, everybody, I am sure, admits that Kansas is not to be a slaveholding region, and if not, certainly not the territory north of it."

If there was anybody present who did not admit what Mr. Everett said he was sure everybody admitted, I do not know but that it was due to candor for that somebody to get up and suggest to Mr. Everett, as he had not been here a great while, and might not be posted up in all the news on the subject, that he was a little too fast, and that there was somebody who did not admit it. But, sir, there was no one to do that; he was not corrected, even by the honorable gentleman from Georgia, [Mr. Toombs,] who, whatever other failings he may have in the eyes of those who differ from him on this subject, I believe never was accused of any want of candor in the avowal of his sentiments. Even he heard that distinguished scholar and near-sighted politician at that time solemnly declare that he was sure he knew that everybody admitted that Kansas was not to be a slaveholding State; and if that was not, why, of course, Nebraska was not.

The next testimony I have is that of Mr. Thomson, of New Jersey. In the same volume, on the 257th page, he quotes Mr. Everett. Mr. Everett, then, did not stand alone; he was endorsed; several gentlemen got up and added that they knew the same thing, and amongst them was Mr. Thomson, of New Jersey. He says:

"It has been well and truly said, by the distinguished Senator from Massachusetts, [Mr. Everett]"—

and then he goes on and quotes what Mr. Everett said, adding to the declaration of Mr. Everett his own, that it was "well and truly said." This important declaration of Mr. Everett, of a fact that "everybody knew," and endorsed by Mr. Thomson, was further endorsed, in the same volume, on the 249th page, by Mr. Brodhead, of Pennsylvania, who quotes the same extract from Mr. Everett that Mr. Thomson did. But Mr. Brodhead was not content with that; he thought that, although Mr. Everett knew it, and everybody else knew it, he could add a little force to that knowledge; and he went on to prove, in the course of some remarks that will be found on the page I have quoted, that what Mr. Everett said was true; and, so far as the book shows, nobody contradicted him.

Well, sir, the evidence does not stop there. There was another Senator, whom I regret not to see in his place this morning—an authority on this subject whom I have no donbt would be listened to with great pleasure by the Senate. Mr. Cass, in the same volume, page 270, says:

"I do not think the practical advantages to result from the measure will outweigh the injury which the ill-feeling fated to accompany the discussion of this subject through the country is sure to produce. And I was confirmed in this impression by what was said by the Senator from Tennessee, [Mr. Jones,] by the Senator from Kentucky, [Mr. Dixon,] and by the Senator from North Carolina, [Mr. Badger,] and also by the remarks which fell from the Senator from Virginia, [Mr. Hunter,] and in which I fully concur, that the South never will derive any benefit from this measure, so far as respects the extension of Slavery; for, legislate as we may, no human power can ever establish it in the regions defined by these bills."

That was the evidence before the Senate. I have given the opinions of Mr. Pettit of Indiana, Mr. Hunter of Virginia, Mr. Toucey of Connecticut, Mr. Thomson of New Jersey, Mr. Brodhead of Pennsylvania, Mr. Badger of North Carolina, Mr. Everett of Massachusetts, (who quotes, as sustaining him in his opinion, "what everybody knew,") Mr. Douglas of Illinois, Mr. Dixon of Kentucky, Mr. Jones of Tennessee, and Mr. Cass (who quotes all these.)

These sentiments went out to the country; they were spread far and wide; and if the testimony of an honorable Senator from Alabama (Mr. Clemens)—not now a member of this body—is to be believed—and I have never heard his word questioned—the fact is that, in an interview with him, the President of the United States told him it was "a great measure of Freedom." That sentiment went abroad, only confirming what "everybody knew" before, (as Mr. Everett says,) that Slavery never could go there. What was the result of the dissemination of these views? You could not meet a politician who defended this action in any of the States in which I was (in my own State and others,) anywhere, who was not ready to prove to you that Slavery never could go to Kansas, and that this was a great measure of Freedom. Why, sir, I heard that argued and reargued, just as long as I had the patience to listen to it.

The act was passed. It was passed on this showing, and on this pretence; and, so far as I listened to the debates—for I happened to be here during a part of them—or as I have read them since, I do not remember that a single man upon the floor of the Senate uttered a different sentiment——

Mr. SEWARD. I hope the honorable Senator will excuse me for saying that I certainly did.

Mr. HALE. If the Senator had waited until I got through with the sentence, he would have seen that there was no necessity for his interruption. What I meant to state was, that I did not know there was a single man who advocated the bill who contradicted it—not one.

Mr. BUTLER. I think the gentleman is in error; for General Atchison, who had perhaps more to do with the bill than any other Senator, openly avowed that he would not vote for it

except on the ground that it would remove the obstacle which prevented such slaveholders to go there as chose to do so. You will find that that was his opinion, and he maintained it.

Mr. HALE. I do not know but that it may have been so. I am speaking from recollection. I have read Mr. Atchison's remarks as well as I could, and I do not find that he so stated in the Senate. He was then the Presiding Officer of this body, and he did not speak on the bill at length; he spoke casually once, and I think but once, though he might have spoken twice; but his remarks were exceedingly brief. He has since avowed the sentiments alluded to by the Senator from South Carolina; but I think it will be found, by a reference to the record, that I am correct. I do not speak unadvisedly on this point, for I have looked over the record very lately, and I think it will be found that I am correct. That the honorable Senator from Missouri (Mr. Atchison) at that time entertained such sentiments, I will not undertake to deny. What I am saying is, that, so far as I have learned, and so far as I have been able to find by examination, not a solitary man who advocated the bill in the Senate intimated a different opinion from that which I have quoted from various Senators—that Slavery would not go to Kansas.

Sir, the promulgation of those opinions here furnished an abundant argument for all the lesser lights of this new order of Democracy, who are to be found scattered all over the land. There was hardly a postmaster who was not posted up in it. There was not a man who held or wished to hold an office under the General Government, in the Northern States, who was not ready to argue this question, and argue it exactly on this showing: that it was a great measure, calculated to produce equality among the States, but without the least possible idea that any practical consequences as regards the extension of Slavery would result from it. Sir, let me ask you, if these men, who were not so well posted up, were not justified in saying so, when Mr. Everett—who not only knew it himself, but knew that everybody else knew it—declared that Slavery could never go there?

What was the result of the passage of the Kansas act? You declared, when you passed it, that it was done with the view of removing the great restriction imposed by the Missouri Compromise, and opening the Territory to everybody. The people of the North took you at your word; and they went there. How were they met? I do not propose to make any statements here on my own authority, but to give proof. There was much discussion a few days since, as to what General Atchison had done and said, and many commendations were passed on him. I have not a word to say against it. I knew General Atchison for six years, while I served with him in the Senate, and in personal intercourse I always found him to be an amiable and pleasant gentleman, and I shall let him speak for himself; I will give my authority. I desire to read an extract from a speech of General Atchison, delivered at Platte City, Missouri, on the 4th of the present month, which will be found in the New York *Daily Times* of the 25th of the present month. He says:

"The Territory was open for settlement, every man having an equal right to go from the North or South with their property. The abolitionists of the North, failing to accomplish their vile purposes by law, resolved to effect it in opposition to law. They organized their *Aid Societies*, raised money and men, had three thousand preachers and their Abolition orators drumming up their forces, who were whistled on the cars, and whistled off again at Kansas city and other places, some of whom had '*Kansas and Liberty*' on their hats."

The wretches! Only think of it! But, as if it were too incredible to be believed, he adds:

"I saw it with my own eyes. Those men came with the avowed purpose of driving or expelling you from the Territory. What did I advise you to do? Why, meet them at their own game. When the first election came off, I told you to go over and vote."

Remember, he is speaking to his Missouri friends in Platte county—his own county. He continues:

"You did so, and beat them. We, our party in Kansas, nominated General Whitfield. They, the Abolitionists, nominated Flenniken; not Flanegan, for Flanegan was a good, honest man, but *Flenniken*. Well, the next day after the election, that same Flenniken, with three hundred of his voters, left the Territory, and has never returned—no, *never returned!*

"Well, what next? Why an election for members of the Legislature to organize the Territory must be held. What did I advise you to do then? Why, meet them on their own ground, and beat them at their own game again; and, cold and inclement as the weather was, I went over with a company of men. My object in going was not to vote; I had no right to vote, unless I had disfranchised myself in Missouri. I was not within two miles of a voting place. My object in going was not to vote, but to settle a difficulty between two of our candidates; and the Abolitionists of the North said, *and published it abroad, that Atchison was there with bowie-knife and revolver, and by God 'twas true. I never did go into that Territory, I never intend to go into that Territory, without being prepared for all such kind of cattle.* Well, we beat them; and Governor Reeder gave certificates to a majority of all the members of both Houses; and then, after they were organized, as everybody will admit, they were the only competent persons to say who were, and who were not, members of the same. Well, a code of laws was enacted, similar to those of Missouri and other States; after which, the Abolitionists, failing in everything, turned round and repudiated these laws, though in their bogus, spurious treaty, which they published, they agreed to submit to them. They called a Convention, appointed delegates, which delegates were appointed without the knowledge of a very large majority of the people, or, if they had a knowledge of it, they treated it with scorn and contempt. This Convention met at Topeka, and framed what they called a Constitution; and now they say they intend to apply for admission into the Union, though there are not more than five thousand voters in the Territory, and not more than twenty-five thousand or thirty thousand inhabitants, men, women, and children. Now, should Congress admit them, what will you do? I'll tell you what I'll do. If Congress admits them into this Union, without law or precedent, [nodding his head, and lifting high his hand very significantly,] I'LL RESIST IT!"

He adds, however: "But Congress will do no such thing."

I do not vouch for this; I only give it as it comes in the public papers, as a speech delivered by Mr. Atchison on the 4th of February.

Mr. BUTLER. Is it from an anonymous writer?

Mr. HALE. It is a communication in the New York *Daily Times*.

Mr. BUTLER. Signed "Randolph," I suppose.

Mr. HALE. I do not know what the signature is. It is the same paper that I handed to the honorable Senator from South Carolina a few moments ago.

Here is another extract from a letter signed D. R. Atchison, purporting to be from the Atalanta (Georgia) *Examiner*. I cut it from the New York

Tribune. Whether it is a correct extract from the Georgia paper or not, I do not know. Mr. Atchison says, in this letter to Georgia:

"Let your young men come forth to Missouri and Kansas! Let them come well armed, with money enough to support them for twelve months, and determined to see this thing out. One hundred true men will be an acquisition. The more the better. I do not see how we are to avoid civil war. Come it will. Twelve months will not elapse before war, civil war, of the fiercest kind, will be upon us. We are arming and preparing for it; indeed, we of the border counties are prepared. We must have the support of the South. We are fighting the battles of the South. Our institutions are at stake. You far Southern men are now out of the naive of the war; but if we fail, it will reach your own doors, perhaps your hearths: we want men—armed men. We want money—not for ourselves, but to support our friends who may come from a distance. I have now in this house two gallant young men from Charleston, South Carolina. They are citizens of Kansas, and will remain so until her destiny is fixed.

"Let your young men come on in squads, as fast as they can be raised, well armed. We want none but true men. Yours, truly,

"D. R. ATCHISON."

Mr. GEYER. What is the date of that letter?

Mr. HALE. The date of another one which I will read, and which I find in the same paper, is December 15, 1855; and I believe this letter has the same date, though it is cut off in the extract before me. I have here a letter from the same gentleman, published on the same authority, dated Platte City, December 15, 1855, in which he says:

"PLATTE CITY, *December* 15, 1855.

"DEAR SIR: I have read with intense interest, so much of Governor Johnson's message to the Georgia Legislature as refers to our 'Federal relations.' The question of Slavery is the only one of vital importance at this time. Men who have the least interest in it are endeavoring to regulate and control the whole subject. Massachusetts—a State as far removed from the institution of Slavery and slaveholders as any in the Union—leads the van in the crusade; a State that has advanced as little money, and certainly shed less blood, for the acquisition of territory, either slave or free, than any other, 'leads in this war' against our institutions. I have no disposition now to go further into this matter, but my object is to interchange opinions with you, and to give a brief history of parties in Kansas up to this time. I must, however, be permitted to say that, in my opinion, the recommendations of your Governor are wise, and, if acted on by the Legislature, will have a tendency, at least for a time, to check aggression on the part of the North. It will furnish some evidence that one Southern State is resolved to concede no further.

"The Governor recommends, first, that the Legislature shall provide for the call of a Convention, upon the happening of a certain contingency. What is that contingency? If the Federal Government shall refuse Kansas, or any other Territory presenting itself for admission into the Union as a State, because said Territory presents a Constitution similar, if not identical, with that of Georgia, that then Georgia, in Convention, will take steps to protect herself and her institutions; in a word, cut her connection with the Union. If however, Georgia shows a determination, a fixed purpose, to carry out the recommendations of the Government, the contingencies will not arise.

"I expect to be a citizen of Kansas; and if Kansas presents herself legitimately, having all the qualifications for a State, and is rejected because her Constitution recognises and protects Slavery, then, as a citizen of Kansas, I will contend that Kansas is a State, sovereign and independent, out of the Union."

In the same letter he says:

"Kansas and Missouri have the same latitude, climate, and soil, and should have the same institutions," &c.

I will not read further from this letter, because I wish simply to place the facts before the Senate as they are, and I have read enough for that purpose. I have read what Mr. Atchison says. Well, sir, it is a fact, I believe not denied—a least the President of the United States, in th message from which I shall read presently, doe not deny it—that wrongs have been committe in Kansas. Before coming to that point, how ever, I wish to read an extract from a speec made by Governor Reeder, at Easton, Pennsy vania, published in the Washington *Union* on th 6th of May last. He was then Governor of Kan sas; and after this speech was made, he went bac as Governor to Kansas:

"It was, indeed, too true that Kansas had been invade conquered, subjugated, by armed forces from beyon her borders, led on by a fanatical spirit, trampling unde foot the principles of the Kansas bill and the right c suffrage."

Then the President knew that the individua whom he sent there to sustain the laws and main tain the authority of the United States, cam home and told him, and told the country, tha Kansas was a conquered country; that his au thority was derided; that she had been invade and overrun.

That fact came to the knowledge of the Pres dent; but the Senator from Connecticut, speakin for the President, says that he has omitted n duty, because there was no state of facts whic would authorize his interference. I do not know that there was; for I do not exactly know wha is necessary in order to justify an interference o the part of the President of the United State But here was a case where the right of suffrag was manifestly invaded—where the citizens of Territory were prevented from exercising the legitimate control at the ballot-box, in virtue c and in pursuance of, the provisions of the Co stitution. Their Territory was overrun and co quered; and yet it is said there was nothir calling on the President to interfere.

Now, sir, I will call the attention of the Sena and the country to a case in which the Preside did interfere. I have before me the authent record of a case lately argued before the Suprer Court of the State of Massachusetts, and among the printed documents of that case was a tel graphic dispatch received from the President the United States, which I will read. There wa in due course of law, an attempt made to return fugitive slave from the city of Boston to the ci of Alexandria, Virginia. The case was goi on, in due course of law, in the city of Bosto in the State of Massachusetts, and the Preside interfered by a telegraphic dispatch to the Feder officials in Boston: "Incur any expense deem necessary by the marshal and yourself for ci military, or otherwise, to insure the execution the law. (Signed) FRANKLIN PIERCE." This w directed to "B. F. Hallett, United States Att ney." Well, sir, does the President of the Unit States consider that the return of a fugitive sla is paramount to preserving to the people the fi exercise of the right of suffrage? Does the fa that a whole Territory was invaded, and every o of its citizens prevented from exercising the leg imate right of suffrage at the polls, constitute case in which the President should interfere their protection? And yet, when there was slave to be returned, the President of the Unit States would not trust to the ordinary modes communication, but telegraphed to his offici that the Treasury was wide open for them. "P

your arms in up to the elbow; help yourselves: the Federal Treasury is at your service." They did it pretty liberally, too, and I believe they were not satisfied until they had taken something over $30,000 of the funds of the Federal Treasury to send back one negro. Although the President may thus interfere, and although the Federal Treasury may be put at the mercy of the officials of this Government in the city of Boston, yet when the peaceable inhabitants of a Territory are invaded and conquered, and the ballot-box made to give way to the cartridge-box, without anything being done by him to prevent it, we are told that the President has done all his duty, and is entitled to the commendation of the country; and his friends here come forward—it seems to me with some temerity, to say the least—and challenge the approbation of the Senate and of the country.

What followed the result of the invasion of Kansas—this going over of Missourians, as admitted and as shown? A law was passed; and I will read you that law, although it has been already read twice:

"If any person print, write, introduce into, or publish, or circulate, or cause to be brought into, printed, written, published, or circulated, or shall knowingly aid or assist in bringing into, printing, publishing, or circulating, within the Territory, any book, paper, pamphlet, magazine, handbill, or circular, containing any statements, arguments, opinion, sentiment, doctrine, advice, or inuendo, calculated to produce a disorderly, dangerous, or rebellious disaffection among the slaves of this Territory, or to induce such slaves to escape from the service of their masters, or to resist their authority, shall be guilty of a felony, and be punished by imprisonment, at hard labor, for a term not less than five years"—

but as much longer as the judge sees fit. The honorable Senator from Tennessee, [Mr. JONES,] in commenting upon this law, finds a little fault with it. He thinks it is not quite severe enough, but he says it ought to have been a penalty of death, and that every one offending against its provisions ought to be hung on a very high gallows—one as high as that old gallows on which Haman was hung. But, let us suppose the law to remain as it is; and let us suppose that a court was organized in the Territory of Kansas for the trial of offenders against this law: what would be done with a man who was found with a document in his pocket, reading in this way?

"The Southern people have NO RIGHT—natural, moral, or political—to enforce Slavery upon the new Territories. They have no more right to go there and hold slaves, than they have to do so in New Hampshire. THE SLAVEHOLDERS HAVE NO MORE RIGHT TO PLANT SLAVERY UPON FREE TERRITORY, THAN WE HAVE TO ABOLISH SLAVERY IN SOUTH CAROLINA."

Do you not think that would amount to an "inuendo," to say the least of it? Who is the author of that sentiment? The editor of the *New Hampshire Patriot*. It is not one of his *post mortem* remains, but was published as late as the 28th of December, 1848. That is the declaration of the *New Hampshire Patriot*; and I suppose all of us know the relation which that paper sustains to the present Executive of the United States. If any Senator does not, he may find that one of his first official acts, after he was elected President, was to present to this editor a gold-headed cane, in token of the very high estimation in which he held him, and the manner in which he had discharged his duties. Do you not think a man ought to take five years for that? Would it not come up to an "inuendo, or advice, or opinion?" That was in 1848. Now let me go back one year. Suppose a man should be tried under this law, and this document were found in his possession?

"*Resolved*, That we declare it OUR SOLEMN CONVICTION, as the Democratic party have heretofore done, that neither *Slavery* nor *involuntary servitude* should hereafter exist in any territory which may be acquired by or annexed to the United States; and that we approve of the votes of our delegation in Congress in favor of the Wilmot Proviso."

What is that? One of the resolutions passed at the Democratic State Convention of New Hampshire, in October, 1847. It must have been a hard dose for them, for I was one of those Senators whom they were thanking for voting for the Wilmot Proviso. Who were the committee that produced this resolution? I will read some of their names. Amongst the gentlemen who reported that resolution was "John S. Wells," the President's captain general and standard bearer, who is stumping the State of New Hampshire for the office of Governor today. He has some hopes of being elected, but I think more fears of being defeated, in about two weeks.

Another member of the committee that reported this resolution was Joseph H. Smith, a highly respectable gentleman of my own village. The President has shown his appreciation of Doctor Smith's patriotism, judgment, and politics, by appointing him to the highly important office of inspector of drugs in the city of Boston, with a salary of $1,000 a year.

Another gentleman whose name I find among those who reported this resolution was Samuel Swasey. The President had such a high appreciation of his services, that he thought he must go a little higher than an inspector of drugs, and he was therefore appointed inspector and measurer at Portsmouth, with a compensation of over $1,200 a year. I also find upon the committee who reported this resolution the name of another gentleman, Charles H. Peaslee, who has been rewarded by the President with the very lucrative office of "collector of the customs and superintendent of light-houses" for the port of Boston, with a salary of $6,400.

Well, sir, what do you suppose the *New Hampshire Patriot* said about the resolution which I have read, that was submitted by those gentlemen? In an article in that paper of November 4, 1847, it said:

"We never read a more able, eloquent, and appropriate series of Resolutions adopted upon any occasion; and there is one fact in this connection worthy of notice: *These* resolutions were adopted UNANIMOUSLY by the very able committee of twenty, after much deliberation, and were unanimously adopted by the Convention. And we put them forth as the DELIBERATE and MATURE convictions of the Democracy of this State."

How long shall these fellows take sir? Will five years be enough? Certainly that goes beyond an "inuendo;" it must come up to an "opinion." [Laughter.] That, you perceive, was in 1847. What next? In 1848—these men were inveterate sinners—[laughter]—the Legislature of New Hampshire, with an overwhelming Democratic majority, passed the following resolution unanimously.

"*Resolved by the Senate and House of Representatives in General Court convened*, That we are in favor of the pas-

ge of a law, by Congress, *forever prohibiting Slavery* in ew Mexico and California, *and in all other territories* ow acquired, or hereafter to be acquired, by the United tates, in which Slavery does not exist at the time of ich acquisition."

To how long a term of imprisonment, under e law which I have read, ought they to be entenced for that? This was in 1848. Perps it will be said they began then to reform. et us see. In 1849, these resolutions were assed unanimously by the New Hampshire Leislature:

"*Resolved by the Senate and House of Representatives in eneral Court convened*, That, opposed to every form of ppression, the people of New Hampshire have ever iewed with deep regret the existence of Slavery in this nion; that while they have steadfastly supported all ections in their constitutional rights, they have not only mented its existence as a great social evil, but regarded as *fraught with danger to the peace and welfare of the ation.*

"*Resolved*, That while we respect the rights of the laveholding as well as the free portions of this Union—hile we will not willingly consent that wrong be done any member of the glorious Confederacy to which we elong, we are FIRMLY AND UNALTERABLY OPPOSED TO HE EXTENSION OF SLAVERY OVER ANY PORTION OF MERICAN SOIL NOW FREE.

"*Resolved*, That, in our opinion, Congress has the CONTITUTIONAL POWER TO ABOLISH THE SLAVE TRADE ND SLAVERY IN THE DISTRICT OF COLUMBIA; and at our Senators BE INSTRUCTED, and our Representaves BE REQUESTED, TO TAKE ALL CONSTITUTIONAL EASURES to accomplish these objects.

SAMUEL H. AYER,
Speaker of the House of Representatives.
WILLIAM P. WEEKS,
President of the Senate.
SAMUEL DINSMORE, *Governor.*"

Who do you suppose introduced that proposiion? Mr. Clement. And do you suppose that erit like his has been passed over by the Presient? No, sir; but he has been appointed by he present President collector and superintendent f light-houses for the district of Portsmouth, and gent of the marine hospital there. Mr. Clement etermined to put an end to this continual passng resolutions. He said to himself, what is the se of that? Here you are passing resolutions ear after year on this subject. Now, said he, et us have done with it, and let us declare to all he world and to all time that we are unalterable. Other things may change; we never. We live n a granite State; our everlasting hills tower up igher than the clouds; they may crumble and all, but the New Hampshire Democracy are unalterable; they will never turn. [Laughter.] And their unalterable position is, that they are "opposed to the extension of Slavery over any portion of American soil now free." That was n 1849. What did the *New Hampshire Patriot*, the mouth-piece of the President, say then in regard to the subject? On the 26th of July, 1849, speaking of the doctrine of squatter sovereignty, then recently broached in a celebrated letter:

"The Democracy of the North never did endorse the doctrine, *and they never will.* The Democracy of this State are *unanimous* in the opinion, so far as we know, that *Congress has and should exercise the power, and exclude Slavery* from California and New Mexico."

So far as they knew, then, there was not a man in New Hampshire who did not entertain these opinions. Did General Pierce entertain them? Why, sir, he was chairman of the Democratic State Central Committee during all this time; and he was the New Hampshire Democracy. It is idle to say, therefore, that he did not entertain these views. Again, the same paper says:

"Ever since the question of the extension of Slavery to free territory was first broached, the Democrats of New Hampshire have opposed such extension. They have occupied but one ground upon the subject. In office and out, their united voice has been raised in behalf of the doctrine, that *territory now free, should ever remain so.* Their Representatives in Congress have uniformly so voted, their Legislature has repeatedly so resolved, their Conventions have constantly so declared, their newspapers have always so spoken, their candidates have uniformly so expressed themselves, and their speakers have at all times and in all places so proclaimed. This has been, and now is, the ground upon which they stand; and *they will support no man who is not sound upon this question.*"

This was said on the 1st of March, 1849; but was the President of the United States cognizant of these opinions? Was he part and parcel of the Democracy that entertained these sentiments? Suppose you say, "This is not fair; this is a criminal trial; five years imprisonment in the penitentiary is the punishment for promulgating such sentiments, and it is not fair to send the President of the United States there, without some more direct testimony; this will not answer." Very well, sir; then I will read you an extract from General Pierce's speech, made at the North Church, in Concord, on the 5th of June, 1845, as reported in the *New Hampshire Patriot* of June 12, 1845, purporting to be in reply to one John P. Hale. [Laughter.] General Pierce said:

"He had only to say now, what he had always said"—

You perceive, sir, the Democracy of New Hampshire never change. They always profess the same thing—

"He had only to say now, what he had always said, that *he regarded Slavery as one of the greatest moral and social evils—a curse upon the whole country; and this he believed to be the sentiment of all men of all parties at the North.*"

Ought he to get five years imprisonment for that? [Laughter.] Again:

"Mr. P. was free to admit that he had himself approached this subject of annexation [of Texas] with all his prejudices and prepossessions against it, and ON ONE GROUND ALONE—ITS SLAVERY FEATURE. His convictions on this subject were, as he had stated, strong—not the result of any new light"—

Oh, no, sir! the President is no new light—

"but deeply fixed and abiding. THE ONLY DIFFICULTY IN HIS MIND EVER HAD BEEN, THAT OF A RECOGNITION BY ANY NEW ACT OF OUR GOVERNMENT OF THE INSTITUTION OF DOMESTIC SLAVERY; and he had found it extremely difficult to bring his mind to a condition impartially to weigh the argument for and against the measure."

That was in 1845, and therefore might come under the definition of a *post mortem* examination. It is ten years old; but I will take him at a later period. In 1851, there was a Constitutional Convention held at Concord, New Hampshire, for the purpose of revising the Constitution of that State, and General Pierce was President of it. On one occasion he left the chair, and made a speech, which was reported in the *New Hampshire Patriot*, in which I find this:

"I WOULD TAKE THE GROUND OF THE NON-EXTENSION OF SLAVERY—THAT SLAVERY SHOULD NOT BECOME STRONGER. But Congress have only re-enacted the old law of 1793. Union-loving men, desiring peace and loving their country, conceded that point—UNWILLINGLY CONCEDED IT—and, planting themselves upon this law against the outbursts of popular feeling, resisted the agitation which is assaulting all who stand up for their

country. But the gentleman says that the law is obnoxious. WHAT SINGLE THING IS THERE, CONNECTED WITH SLAVERY, THAT IS NOT OBNOXIOUS? EVEN THE GENTLEMAN FROM MARLBOROUGH [Dr. Batchellar] CANNOT FEEL MORE DEEPLY THAN I DO ON THIS SUBJECT."

The Dr. Batchellar here alluded to was one of the most prominent Abolitionists in the State—a member of the Constitutional Convention; and General Pierce said he could not feel the evils of Slavery more than he himself did. That is certainly a "sentiment;" it is something more than an "inuendo." Now, sir, suppose some faithful patriot, wishing to be booked up in the soundest politics of the country, should go to Kansas, and unwittingly take some of these documents with him, and suppose they should be found in his pocket, could anything less than five years imprisonment be inflicted on him; and might he not feel that he was under great obligations to the clemency of the court, if they let him off with that? The only limit is, that the punishment shall not be less than five years imprisonment, but may be as much more as the court please.

But, sir, I will leave General Pierce. Suppose some unfortunate wight—one of those three thousand clergymen, for instance, about whom so much was said—should stray into Kansas with some little volume for his solitary reading in his pocket; and the constable should find it, and open it, and read this: "He that stealeth a man and selleth him, or if he be found in his hand, he shall surely be put to death." (Exodus, ch. 21, v. 16.) I do not say what that means; but, in the hands of an uneducated black man, might it not have a tendency to produce a "dangerous disaffection;" and, if so, would it not come within the condemnation of this law?

Again, sir: Suppose he did not take the whole Bible, but only took the New Testament; and suppose he should there read as follows: "The spirit of the Lord is upon me, because he hath anointed me to preach the gospel to the poor: he hath sent me to heal the broken-hearted, to preach deliverance to the captives, and recovering of sight to the blind, to set at liberty those who are bruised." (Luke, ch. 4, v. 18.) I do not say what the meaning of this is; but might it not, with an uneducated black man, have a tendency to produce "dangerous disaffection," within the meaning of the statute which I have read?

Again: "Thou shalt not deliver unto his master the servant which is escaped from his master unto thee: he shall dwell with thee, even among you, in that place which he shall choose in one of thy gates, where it liketh him best; thou shalt not oppress him." (Deut., ch. 23, v. 15—18.) I do not give any meaning to this; but I only suggest whether this is not dangerous stuff to put into the hands of uneducated men, and whether it might not have a tendency to produce a "dangerous disaffection?" Would not a man be subject to the condemnation of this law, who should be found with any such document as this in his pocket? The Senator from Tennessee said the provision of the law was not severe enough, but that the offence ought to be punished by death. Well, sir, there was a tribunal which sat more than eighteen hundred years ago, upon the Author of one of the sentiments which I have read, and that tribunal thought just so, and passed sentence of death upon him, and executed him.

Now, I come to the consideration of the m sages of the President. In his annual mess presented to us on the 31st of December, 1855 says:

"In the Territory of Kansas there have been acts judicial to good order, but as yet *none have occu* under circumstances to *justify the interposition of Federal Executive.*"

Mark the date; dates are something in this m ter. Nothing had occurred, up to the 31st of cember last, to justify his interposition. In message on the 24th of January, 1856—twen four days afterwards—he says:

"Circumstances *have occurred* to disturb the cours governmental organization in the Territory of Kan and produce there a condition of things which rend it incumbent on me to call your attention to the subj and urgently to recommend the adoption by you of su measures of legislation as the grave exigencies of case appear to require."

I put it to the President of the United Stat and I put it to all his friends on this floor a everywhere else, to tell me what occurred betwe the 31st of December, 1855, and the 24th of Jan ary, 1856, to justify this change of policy? D the Convention to form a State Constitution Kansas, assemble in the mean time? No, s Did an election take place for State officers? N sir. All that was done before the 31st of Dece ber, 1855; and I have the authority of the Pre dent for saying that nothing had been done up that time which would justify the interference the Federal Executive. In his judgment, the the people of the Territory had the right to mee and in meeting, to institute a Constitution, th had committed no offence, and had done nothi which justified his interference; but, sir, I wish do the President of the United States all justice and I will. I think I always have done so, and always will. I do not believe, as some of t enemies of the President have undertaken to sa that he is a coward. I do not believe that he wanting in physical or moral courage. Sir, h has courage by inheritance, and I never doubte it. The President of the United States is n wanting in talent. He is a man of respectab talent; and it is no disparagement to say of th distinguished gentlemen who were his compet tors before the nominating Convention, that he the equal to any of them, and, in my judgmen superior to the man who means to supplant him I go further: I think the President is progressive I think he improves. From the 31st of Decembe to the 24th of January, there was a marked im provement in his manners, if in nothing else Whether or not it was the effect of a little animad version which he might have read, I shall not un dertake to say. [Laughter.] But I will give yo the proof of the statement which I have jus made. In his message of the 31st of December 1855, he speaks of those who were opposed to hi "as enemies of the Constitution." Then nobod who differed from him could be friendly to th Constitution. See what a wonderful change i produced in twenty-four days. On the 24th o January he speaks in this way:

"This interference in so far as it concerns its primary causes and its immediate commencement, was one of the incidents of that pernicious agitation on the subject o the condition of the colored persons held to service in some of the States, which has so long disturbed the r

se of our country, and excited individuals, otherwise triotic and law-abiding, to toil with misdirected zeal the attempt to propagate their social theories by the version and abuse of the powers of Congress."

Is there not a great improvement? "Enemies the Constitution," in twenty-four days, are con-rted into gentlemen laboring with misdirected al, but otherwise patriotic and law-abiding. On erything except the very point on which they fer from the President, they are patriotic and w-abiding.

The President of the United States in his Kan-s message, denounces the proceedings of those ntlemen in Kansas who have undertaken to form State Constitution as revolutionary, and says at if their measures are carried out, it will be eason. Well, sir, perhaps it is very difficult to fine and say exactly where people may begin reform their Government without the consent the existing Government, and I shall not ven-re to express any crude opinions of my own on that subject; but I shall favor you with the inions of the President of the United States mself upon that very question. It cannot have caped the recollection of gentlemen, that about urteen years ago there was a very noted indi-dual in this country, by the name of Thomas . Dorr, who claimed to be elected Governor Rhode Island; but the result of his election as, that he found that he would be safer in any her State than the one of which he claimed to Governor. He left there, and went first to onnecticut, and remained there a little while, nd then came to New Hampshire. When he rived in New Hampshire, a large public meeting as holden in Concord on the 14th day of Decem-er, 1842; and at that meeting General Pierce elivered a very congratulatory speech to Gov-nor Dorr, and closed with the presentation of a eries of resolutions, which, as they are not long, will read:

"1. *Resolved*, That all government of right originates om the people, is founded in consent, and instituted r the general good.

"2. *Resolved*, That whenever the ends of government e perverted, and public liberty manifestly endangered, nd all other means of redress are ineffectual, the people ay, and of right ought to, reform the old and establish new form of government.

"3. *Resolved*, That if the *friends of liberty should wait or leave from tyrants to abolish tyranny*, the day of free overnment would never dawn upon the eyes of the ppressed millions of our race.

"4. *Resolved, That when the people act in their original vereign capacity in forming and adopting new systems f government, they are not bound to conform to any rules r forms of proceeding not instituted by themselves.*

"5. *Resolved*, That the adoption of the people's Consti-ution in Rhode Island, by thirteen thousand nine hun-red and forty-four votes, being an acknowledged and arge majority of the whole male adult population of that tate, was such an act of the people, in their sovereign apacity as rendered it the paramount law of the State."

General Pierce went thus far; but Mr. Hibbard hen presented the two following additional reso-utions, which the *New Hampshire Patriot* says were "cheerfully accepted by Mr. Pierce:"

"6. *Resolved*, That in welcoming to the soil of New Hampshire our present distinguished guest, Thomas W. Dorr, the rightful Governor of Rhode Island, we em-brace the occasion of tendering the tribute of our respect and esteem to the tried patriotism, and unwavering devotion to the cause of free suffrage, which has so emi-nently and honorably characterized his past career; and that, so long as the people of Rhode Island are true to themselves and to the cause of civil liberty, they will never abate their trust, nor remit their exertions, until their sovereignty shall be acknowledged, the Constitu-tion of their adoption established in fact, as it now is in right—the paramount law of the land; and the officers of their choice restored to the places to which they have been once elected.

"7. *Resolved*, That John Tyler, the acting President of the United States, in interfering with, and assuming to decide, by the arm of the military power of the Gen-eral Government, *the question of sovereignty pending be-tween the People and the Charter party of Rhode Island*, thereby for a time prostrating the cause of free suffrage, and paralyzing the efforts of its friends in that State, has been guilty of a flagrant usurpation of unconstitutional power, for which no censure can be too severe, and has inflicted an injury upon the cause of constitutional free-dom, for which no reparation can adequately atone."

Now, to bring the point of these resolutions distinctly before the Senate, I propose to read this last resolution, substituting the name of "Frank-lin Pierce" for "John Tyler," "Kansas" for "Rhode Island," and "Pro-Slavery party" for "Charter party," and see how it will then read. It would read in this wise:

"*Resolved*, That Franklin Pierce, the acting President of the United States, in interfering with, and assuming to decide, by the arm of the military power of the Gen-eral Government, the question of Slavery pending be-tween the people and the Pro-Slavery party of Kansas, thereby for a time prostrating the cause of free suffrage, and paralyzing the efforts of its friends in that Territory, has been guilty of a flagrant usurpation of unconstitu-tional power, for which no censure can be too severe, and has inflicted an injury on the cause of constitutional freedom, for which no reparation can adequately atone."

He ought certainly to be willing to take such medicine as he administers; and it seems to me that the cases, with this bare alteration of names, are very nearly parallel—at least enough so for the argument.

The President of the United States, in his mes-sage of the 24th of January, goes on to state the illegal acts which have occurred to justify mili-tary interposition, and he says:

"One of the acts of the Legislative Assembly provided for the election of a Delegate to the present Congress, and a Delegate was elected under that law; but subse-quently to this, a portion of the people of the Territory proceeded, without authority of law, to elect another Delegate. Following upon this movement was another and more important one, of the same general character. Persons confessedly not constituting the body politic, or all the inhabitants, but merely a party of the inhabi-tants, and without law, have undertaken to summon a Convention for the purpose of transforming the Terri-tory into a State, and have framed a Constitution, adopt-ed it; and under it elected a Governor and other officers, and a Representative to Congress."

That is the reason why the President of the United States on the 24th of January felt himself called upon to send to us a special message, ask-ing for extraordinary powers from Congress to enable him to execute the law. Every fact to which he refers, every circumstance to which the message alludes, had transpired long before his annual message of the 31st of December, when he said nothing had occurred that would justify his interposition.

I have thus, Mr. President, very briefly spoken of what has been done on the part of those en-deavoring to force Slavery into Kansas. I wish now to advert to the charges which have been brought against the men who have gone there to establish a free State. So far as I know anything about them, I will, in their behalf, plead guilty to everything charged upon them by the Senator from Tennessee. What they wanted was a free

Constitution—a free State. Societies were organized in the Northern States, for the purpose of aiding emigrants to go there with the avowed purpose of making Kansas a free State. That they had an undoubted right to do. You had invited them to do it by your Kansas and Nebraska bill.

The Senator from Tennessee, however, made a wonderful discovery when he ascertained that the authors of these Emigrant Aid Societies looked to a remunerative pecuniary return. Grant it; I plead guilty to that charge. I admit they organized the societies for the purpose of sending emigrants into that Territory to settle it, and by their votes establish freedom there; and they hoped to establish Freedom, to take up lands, and that by such means there would be a pecuniary remunerative return. The Senator need not have gone a great way to prove that. They themselves published it in all their handbills and newspapers. They proclaimed it in all their public meetings. They invited everybody to subscribe to aid in sending emigrants there. For what purpose? To make Kansas a free State; and they held out the hope that the project would not only result in that, but would be a profitable investment, and would make remunerative pecuniary returns. Is there anything new in that? The Senator from Tennessee says he never before heard of such a thing in the United States.

I do not wish to be unkind or uncourteous to the Senator, though he did not come at me in the smoothest possible form. I can tell him that he has not read the history of the United States, if he never heard or read of such societies before. There is hardly one of the old States of the Union that was not settled by societies similar to these. The State of New Hampshire, the State of Virginia, the State of Maryland, and all the early Colonies, were planted by the aid of societies, which were substantially Emigrant Aid Societies, in the old country. If you look at their charters, you will find that, almost without exception, if not entirely without exception, there was always the hope of pecuniary remunerative returns.

The Senator may find the same thing at a later day. Did he ever hear of the little State called Ohio? How was that settled? It was settled by means of an Emigrant Aid Society of New England. The first white men who ever planted themselves upon the soil of Ohio went from New England, under the auspices of just exactly such a society, not called in so many words an Emigrant Aid Society, but substantially that. They were societies which looked to the colonization of the Western Territories, and, beyond that, looked to a compensation which was to come back to them. That is what the Emigrant Aid Societies formed for the settlement of Kansas have done. I will yield to the Senator from Tennessee everything that he claimed on that point. I am sorry that he took so much time to prove what everybody admitted, and what any one who had anything to do with those societies would have told him was intended, expected, and hoped by them.

Sir, let me ask you, did you see anything wrong, anything criminal, in this? Did you not invite the North to go there? Did you not invite Freedom to go there and compete with Slavery? Did you not tell us that all you wanted was a fair field? For what purpose did these men go Kansas? They went in order, by the influe of their opinions expressed at the ballot-box lay the foundations of free institutions in great country; and I have no doubt they beli in their hearts that, in doing so, they were do a meritorious and a patriotic act.

Mr. President, it cannot have escaped your it cannot have escaped the ear of any honora Senator who is within the sound of my voice, t when the subject of Slavery is introduced, g tlemen from those States in which it exists t around and say, reproachfully, "We found institution; we did not bring it here; it was tailed upon us by the cupidity of Eastern m chants; it was entailed upon us by the Brit Crown; it was entailed upon us by those who h the control and agency of things long before came upon the stage of being." Grant it. I willing to give to gentlemen who are disposed make such a plea, all that they can take by and what is the lesson that it teaches us? Sir, teaches us, who in this our day occupy the seats, that if in the coming future it shall be destined in the councils of Omnipotence that t Territory of Kansas shall groan under the bligh ing influence of the institution of Slavery, tho who feel its withering effects may not stand and reproach our posterity by telling them, "Yo fathers forced it on this soil." No, sir; we wi to stand clear of that reproach, which is so oft and so freely cast on our fathers.

In the very debate which took place in th Senate on the Kansas bill, if I mistake not, in th speech of an honorable Senator from North Car lina (Mr. Badger)—not now a member of th body—that very reproach was hurled back on th inhabitants of the free States, and they were tol that it was to their agency and their cupidity tha the South owed the existence of the institutio among them. I do not remember, sir, during th many years that I have been at this Capitol, have met with more than three individuals wh have not been willing to admit, and have no admitted. that, if the question of Slavery were new one, for the first time introduced, and if th question was submitted to them as they wer about to plant themselves on the virgin soil o their native State, and they had the control of it they would not have Slavery with them. If they would not have it with them, if it were an original question in their own State, I ask them, in the name of justice, in the name of humanity, in the name of that Christianity which teaches us "to do unto others as we would they should do unto us," why should they seek now to fasten it upon another Territory? Sir, the position which I occupy, and which is occupied by those with whom I act, is, that it may never be a reproach to us or to our posterity, that through our agency, and through our want of fidelity to the principles which we profess, this institution which we condemn shall be fastened upon this Territory.

Mr. BUTLER. Will the Senator allow me to give him a matter of statistics?

Mr. HALE. Certainly.

Mr. BUTLER. I knew the Senator would do it, because he is a ready man. At one time, sir, I thought it probable that I might have to go to Boston to perform a duty which my friend from Georgia [Mr. TOOMBS] has done so much better

I could; and with that view I prepared my-
with some statistics on this subject, which I
e to present. I desire to state them now, for
ow of no other way of getting them before a
in class, unless through the speech of the
tor from New Hampshire. He says that, so
rom being tainted with the sin and agency of
oducing Slavery, the North would hold them-
s bound by all the obligations to which he
referred. With the view which I have men-
ed, I sent to the custom-house in Charleston
btain certain information. Most of the regis-
were lost, but from those that remained I ob-
ed some information which I will state.

hen the slave trade was suppressed, it was
pressed by the common vote of the North and
South; and when it was restored, it was re-
ed by the common vote of the North and the
h; but after it was restored, it was through
hern merchants that slaves were taken from
ca. They were brought in Northern vessels.
of forty thousand—that was the number, for
collect it expressly—two-thirds were for the
h. Five thousand were on account of one
hern State, six thousand on account of an-
r, and but two thousand on account of South
olina. So far as regards the sin of bringing
here, I do not think that we are to be re-
sible if we should attempt to throw it back
hose who introduced them.

r. HALE. Mr. President, I am glad to have
piece of information. It was the very train
rgument which I was pursuing. I said that
reproached our fathers, and justly, I have no
t. I have no doubt the Senator is histori-
correct.

r. BUTLER. What I have stated is according
ndoubted statistics.

r. HALE. I have not the slightest doubt of
d I am glad I have got it; but what I mean,
se God, is, that it shall not be true in the
re. I mean, that if another land is to groan
er the evil of Slavery, no Senator from South
olina, or from any other State, shall have a
t to stand up in his place, and point at New
pshire, and say, "You did it." I take all the
ure which the Senator means to administer to
Northern States. I have no doubt that the
dity of commerce yielded much, very much,
that there is great blame. I have no doubt,
her, that the same cupidity which induced
thern merchants to take the course which the
tor from South Carolina brings to my mind,
till left in the country, and it would do the
e thing again, unless restrained by law.

aving gone thus far on this train of remark,
me now to another point of the case; and I
ose to examine the question of the power of
gress over Slavery in the Territories; aud I
l do it, I think, to the apprehension of the
ular and of the legal mind. The ground which
ke is, that Congress has an undoubted consti-
onal power to prohibit Slavery from going
any of the Territories of the United States;
to that point I wish the attention of the Sen-
In the first place, I suppose, when you wish
ettle a question as to whether the Congress of
United States has a certain power or not, the
plest, readiest, and easiest way of settling that
stion is to turn to the Constitution itself. The
Constitution is a plain instrument, made by plain men. It is a universal law, governing States and individuals; and being made by plain men, for the government of everybody within the country, States as well as individuals, one would naturally suppose that it would be written in a language which plain men might understand. Well, sir, by looking to the Constitution, what do you find? You find it there written, "The Congress shall have power"—to do what?—"to dispose of ang make all needful rules and regulations respectind the territory or other property belonging to the United States."

Some have said that this cannot mean all rules, because there must be certain limits. Undoubtedly there are limits, but what are they? The limits are to be found in other parts of the Constitution; and if there are any restrictions on that grant, the grant is thus far restricted; but if there be no restriction, it is unlimited. The language of the Constitution is exceedingly plain. "The Congress shall have power to make"—how many rules?—"all needful rules." How do Congress make rules? By law. How do they make the rules and regulations concerning the Navy? By law. How do they make the rules and regulations concerning the Army? By law. How do Congress make any rules or regulations? By law, and in no other way. Then, how many regulations may they make in regard to territory? All. If the prohibition of Slavery is a regulation coming within the comprehensive description of "all regulations," it is what Congress has a right to make; but if it be a regulation outside of "all," and not included in the adjective "all," we must go somewhere else to find it. What did the men who made the Constitution think? What did they understand? What did they suppose they had done? Why, sir, it appears, fortunately for the elucidation of this history, that in the Convention which framed the Constitution there were twenty men who were also members of the first Congress under the Federal Constitution. There was John Langdon, of New Hampshire, a man of some note in his day—a man enjoying the confidence of the Democracy of this country, and who was nominated for the office of Vice President by that party, when Jefferson was President—a nomination which he declined on account of his age. He was a member of both bodies. There were also in the Federal Convention and in the First Congress, Nicholas Gilman, of New Hampshire; Elbridge Gerry, Rufus King, and Caleb Strong, of Massachusetts; William S. Johnson, Roger Sherman, and Oliver Ellsworth, of Connecticut; William Patterson, of New Jersey; Robert Morris, John Clymer, and Thomas Fitzsimmons, of Pennsylvania; George Read and Richard Bassett, of Delaware; Daniel Carroll, of Maryland; James Madison, of Virginia; Hugh Williamson, of North Carolina; Pierce Butler, of South Carolina; and William Few and Abraham Baldwin, of Georgia. All these gentlemen whom I have named, were members of the Convention which formed the Federal Constitution, and also members of the first Congress under it. George Washington was the presiding officer of the Convention, and he was the first President of the United States under the Constitution. Several of the gentlemen whom I have named were also members of the Continental Congress, which passed the ordinance of

1787, besides being members of the Convention and of the first Congress under the Constitution.

The first Congress met shortly after the formation of the Constitution. Prior to the adoption of that Constitution, the Congress of the old Confederation passed an ordinance by which Slavery was excluded from every inch of territory then subject to Federal jurisdiction. When the First Congress met, what did they think? What did those twenty men, fresh from the formation of the Constitution, think of its powers? What did George Washington, the presiding officer of the Convention, think? What did James Madison think? What did John Langdon think? Why, sir, you can find their opinions in an act of Congress, passed without division, and signed by George Washington, and now in full force, unless it has been repealed by being found to be inconsistent with the Compromise of 1850. On the 7th of August, 1789, they passed an act in these words:

"Whereas, in order that the ordinance of the United States in Congress assembled, for the government of the Territory northwest of the river Ohio, may continue to have full effect, it is requisite that certain provisions should be made, so as to adapt the same to the present Constitution of the United States."

And then they went on in two sections to make a few alterations which were necessary, merely by a change of the officers provided for under the Confederation. In the opinion of those men, when they had made those alterations, merely requiring a change of officers, they thought—perhaps in their weakness, perhaps in their folly—that they had done all that was necessary to adapt the Ordinance of 1787 to the Constitution of the United States. George Washington affixed his signature to that act, and it stands on the statute-book to-day; and no man can challenge the assertion, that it was the opinion of George Washington, (so far as his official acts are any indication of his opinion)—of James Madison, who did more to produce the adoption and ratification of the Federal Constitution, perhaps, than any other man, with the exception of Alexander Hamilton; the opinion of John Langdon, of Rufus King, of Pierce Butler of South Carolina, of Mr. Few and Mr. Baldwin of Georgia, and those other men whom I have named—that Congress had power under the Constitution to prohibit Slavery in the Territories. They did it, and their act has remained, from that day to the present, unchallenged and unrepealed. Let me ask you, sir, if, in the history of this Government, from the time of the adoption of the Federal Constitution down to the present day, any President of the United States has suggested to Congress that the existence of that statute was not warranted by the Constitution, and ought therefore to be repealed? No, sir. And I do not believe that there will very soon be such a President. I do not believe there is a man quite rash enough at the present day to venture his reputation upon such an onslaught as that would be on the judgment, the intelligence, and the patriotism of the Father of his Country, who helped to form the Constitution, and who signed this very act.

Then, sir, look at the acts organizing Territorial Governments ever since, and you will find, without exception, that Congress have taken jurisdiction of this subject, unchallenged—prohibiting Slavery in some cases, regulating it in other You will find that in laws organizing Territori Governments for even the Southern Territories Louisiana and Mississippi, Congress did take co nizance of the subject of Slavery, regulating ar limiting it in those cases, and restricting it others.

The country reposed in safety, peace, securit and harmony, under this construction of the Co stitution, until these latter days, when in the nev light revelations of the present it has been di covered that Washington, Madison, Langdo King, Ellsworth, Gerry and all their compatriot who were engaged in making and administerin the Constitution, died in happy ignorance of wha its essential provisions were. I confess that, fo one, I am willing to take my chance of being mi taken, with those dead fathers of the past, rathe than run the doubtful chance of getting illumina tion from the new lights of to-day.

Now, sir, what do we want? What do we ask We ask that the country shall come back to th point from which it started. We enter upon n crusade against any Southern rights. We ask fo no new test, no new doctrine, no new experiment no rash, doubtful, or untried measures. We a content with the wisdom of the past. We a satisfied with the inheritance and the legac which the patriots of the Revolution have left u We are willing to take the Constitution as the understood it, and the law as they framed an administered it. Is it arrogance for us to ask tha you come with us there? We ask you to go n further; we merely ask you to come with us an take counsel of the departed patriotism of th fathers of the Revolution. We ask you to listc to their doings when the wounds of the Revolu tion were not yet healed over, when the blood an dust of the battle were hardly wiped from the brows, and when their locks were hoary with th frosts which had fallen upon them as they stoc sentinels round about the Camps of Liberty. Tha is what we ask, and we are willing to abide b it; and when we ask that, and when we deman it, how are we met? We are told that we a aggressive; and we are threatened, that if ou aggressions do not cease, if our tauntings do n come to an end, and if the spirit of Northern fa naticism, which is continually making aggre sions, does not cease, this Union cannot be main tained. Sir, I feel obliged to believe the sincerit of gentlemen, when they get up and talk abou Northern aggression, but it is one of the harde things I am bound to believe. Bound as I am t believe it on their word, I have never had th face to go home and tell my constituents so; be cause they would tell me that, however I migh believe it, they knew better. Sir, they have mad as much progress as Mr. Everett had made on th Nebraska bill; they not only know it themselve but they know that everybody else knows it; tha there is not only no truth in it, but that th exact reverse is the truth of history, the truth o the past, the truth of the present; and may Go grant that it shall not be the truth of the future

Sir, we ask to stand nothing more than you equals. It has been the fashion of late years t quote Mr. Webster. Mr. Webster never made truer remark in all his life, than when he sai there was no North. No, sir; in the history o this Government, there has been no North, excep

ollect revenues from. You have found out there was a North for that purpose; but in ting the policy of this Government, in con- ing its politics, in appointing its officers, in ing its laws, the dead sage of Marshfield spoke ruth when he said there was no North. Well, ve should be content for a little while to take r granted, as a fact of political geography, there was no North, if you would not taunt vith it, and tell us that we are aggressive. ressive in what? We have opinions that we ot help. We have convictions; we cannot unce them at your bidding. We believe that, s, Slavery is wrong, unprofitable. You have ferent opinion for yourselves. Enjoy it; we no quarrel on that account. You believe it is profitable; reap all its benefits. You ve that it is just; enjoy it. You believe you are conferring a great benefit on the es; go on in your work of humanity—we never interfere. All we have to say, all we all we claim, is, that you will leave us the privilege of believing, in our cold Northern es, that it is not right for us. We ask you , while we are members of this Confederacy you, bound together by the ties of a common stitution for certain great purposes, we shall be made amenable to the responsibility of aining, extending, and perpetuating, an insti- on which in our heart of hearts we believe to vrong. Now, sir, is there any occasion for rel? Our fathers did not quarrel. They en- ained these opinions, but they did not quarrel. Mr. Webster well said, "Side by side and lder to shoulder they went through the Rev- ion;" and side by side and shoulder to lder are their descendants ready to stand n. But, sir, I ask you, as a matter of justice, t it to every Southern man who hears me, to it in the tribunal of his own heart, if it is t, if it is fair, if it is just, to have the charge Northern aggression continually rung in our ?

have now a word or two to say to the honora- Senator from Tennessee, [Mr. Jones,] and I l speak to him more kindly than he did to me, perhaps not so eloquently. The Senator from nessee represents his State ably, brilliantly— y it in no Pickwickian sense. He came here a very high reputation. I am a much humbler , of more moderate powers, and vastly less tensions, representing the small State of New npshire. Now, I will put it to the honorable ator from Tennessee, as between our two tes, what harm on earth have we ever done ? Have we ever injured the hair of a man's d in Tennessee? Have we, of the State of v Hampshire, ever withholden our apprecia- of a public man because he lived in the State Tennessee? No, sir; twice in solid column e the unalterable Democracy, of whom I spoke ou, gone up in unbroken phalanx to the polls, recorded their votes for two citizens of Ten- see for the highest office in the gift of the Re- lic. I confess that, with my reading of his- y, I am at a loss to discover in the history of er or both those States a single iota of evi- ce that could convict New Hampshire, or one n in it, of injuring, by word or deed, or even ught, the State of Tennessee, or a single citizen that State.

The best way to examine all questions is to take them in detail—one from the mass, and examine it. So far as my humble State is concerned, might I not go through with every State of the Union, and put the same question, and would not every man be at a loss to gainsay it? Certainly he would. Then I would say, in the language of Brutus—though I am not going into Roman oratory—"If we have offended any man, let him speak." If there is any man who has suffered wrong or injustice at our hands, where is he? I do not know it. Why not look at this matter in the light of the truth of history? Why not lay aside these angry appeals? Why not lay aside everything except the solid, substantial truth of history, and look it right in the face? When we do that, I am not at all afraid, when we are tried before any tribunal in earth or heaven, but that the skirts of our garments will be found clean of any offence against any of our sister States.

Mr. President, I read some remarks which were made by the honorable Senator from South Carolina, [Mr. Butler,] when the Kansas bill was under consideration in the Senate two years ago. I am not able to give his exact words, because I cannot speak so eloquently as that Senator; but I remember that he said, speaking in regard to the South, that the South wanted her heart relieved more than any practical burdens taken off. I may not have given his very language, but that, I think, is the idea; I remember it, for I read it last night in the *Globe*. Sir, I confess that when I read that remark, it thrilled my very heart. An appeal of that sort made to the North will never be made in vain; but such has not been the spirit in which gentlemen entertaining the opinions that I do have been accustomed to be addressed by gentlemen from the South. Let me tell you, sir—and I think I can speak in behalf of my own State—that when an appeal is made to them from the South, or the West, or anywhere else, in that spirit, they would coin their very hearts to buy peace—they would pour out their very heart's blood like water, to wash out the least and the last offence.

But, sir, I appeal to the truth of history—I appeal to the convictions of every man who hears me, if we have ever been addressed in any spirit like that? No, sir; far, very far indeed, from it. I shall not endeavor, however, to awake those angry passions which I am deprecating, by a repetition of the course which has been heretofore pursued towards us. I am willing—and I desire—that so far as past occasions of offence are concerned, they should be past. I am willing that the dead past should bury its dead; I desire to live in the present, in the language of the poet—

"Heart within, and God o'er head;"

mindful of all the obligations which the Constitution, or which our duty, or the demands of justice, make upon us. Thus much we are willing to give! We will go far, very far, for peace; but let me say, I am not used to the language of menace; I am not used to the utterance of threats; but I tell you that on the subject of human slavery we have convictions which we cannot sacrifice—we have opinions which it were treason to our moral nature to refrain from expressing on all suitable occasions. Up to that mark we must stand. We

must say, as those of old have said, when we reach a point where duty, conscience, conviction, must be surrendered, we cannot go. We cannot consent to surrender our opinions, convictions, or sentiments. What then? Must this Union be dissolved? Sir, I do not believe it. I do not believe—gentlemen will pardon me if I say it, for it is an opinion—I do not believe the popular opinion of the great masses of the people of this country is represented, when gentlemen talk quite so flippantly as I have heard some talk about a dissolution of this Union. I believe to-day that ours is the strongest Government on the face of the earth. I believe that its foundations are the firmest, the most enduring. What are they? The popular judgment—the popular heart. The it is, sir; there is the solemn, the broad, and th everlasting basis upon which the institutions o this country rest. My own opinion is, that suc will be found to be the case whenever an wherever infatuation shall be led to try the ex periment. I believe that if, listening to evil cou sels, pushed on by the purposes of ambition o any other, a party, large or small, shall be so fa forsaken of God and of good counsels as to ven ture on that rash experiment, the conservatism the patriotism, the intelligence, and the humanit of this great people will teach such men a lesso which they, nor their children, nor their children children, to the latest posterity, will forget.

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